IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.639 OF 2007
IN
SUIT NO.3795 OF 2002

Mrs.Nagamma Nagraj
(since deceased) ...Plaintiff
vs.

Mrs.Sita Narashiman & Ors. ...Defendants

Mr.M.C.Hegde with Ms J.A.Pawar for the Applicants and for defendant Nos.2 and 5.

CORAM: A.S.OKA,J.
DATE : AUGUST 29,2007

P.C.:

1. The chambers summons is taken out by the original defendant Nos.2 and 5. The second defendant appears in person and states that the chamber summons has been served to all concerned parties. The statement is accepted.

2. The suit is filed inter alia for declaration that the plaintiff is entitled to 1/6th share in the suit properties which was held by late B. Nagraj. The prayer is also made for administration of the estate of the deceased. The plaintiff is the widow of the deceased. The defendant nos.2 and 5 are the daughters of the deceased. Defendant no.3 is the son of the deceased. Defendant No.4 is the unmarried daughter of the deceased. In the affidavit in support of the chamber summons it is stated that the original plaintiff died on 7th March 2007. It is contended that the second and fifth

defendants are the legal representatives of the plaintiff along with other defendants and hence they are entitled to prosecute the suit in their capacity as legal representative of the deceased plaintiff.

3. There is no reply filed by any of the parties to the chamber summons. In view of the averments made in affidavit in support of the chamber summons, the same deserves to be made absolute. Accordingly, chamber summons is made absolute in terms of prayer clause (a). Amendment to be carried out within a period of four weeks from today.

JUDGE